

Def. Exhibit No. (i.e. DX1)	Description	Basis for Objection	Offering Party Response	Court Ruling
<b>CERTAIN EXHIBITS TO MOTION FOR SUMMARY JUDGMENT</b>				
DX001	Amended Complaint (ECF No 39)**			
DX002	Plan Sponsor Council of America 2017 403(b) Plan Survey	Authenticity FRE 901.	Official publication by PSCA is authentic under FRE 902(5).	
DX003	2016 Form 5500 for the Faculty Plan*	Cummulative as duplicative of the parties stipulation	Document being provided for reference as necessary and to provide factual support. "Duplicative of the parties" stipulation" is not a proper objection.	
DX004	2016 Form 5500 for the Medical Plan*	Cummulative as duplicative of the parties stipulation	Document being provided for reference as necessary and to provide factual support. "Duplicative of the parties" stipulation" is not a proper objection.	
DX005	January 1, 2012 Vanguard Recordkeeping Fee Agreement for the Faculty Plan*	Cummulative as duplicative of PX0166	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX006	January 9, 2018 of the NYU Principles of Joint Shared Governance	Not relevant. FRE 401, 402, and 403. Authenticity FRE 901.	Relevant: discusses principles under which NYU communicates with faculty. Not hearsay: statement by NYU that will be supported and authenticated by declarant. FRE 801(d), 803	
DX007	January 10, 2018 of the NYU website profile for Plaintiff Monaco	Not relevant. FRE 401, 402, and 403. Authenticity FRE 901.	Relevant: identifies plaintiff. Not hearsay: statement by NYU that will be supported and authenticated by declarant. FRE 801(d), 803	
DX008	Sampling of Monaco Quarterly Statements 2009-2017: Monaco TIAA 2009 Quarterly Statement for 3rd Quarter, Monaco TIAA 2010 Quarterly Statement for 4th Quarter, Monaco TIAA 2011 Quarterly Statement for 4th Quarter, Monaco TIAA 2012 Quarterly Statement for 4th Quarter, Monaco TIAA 2013 Quarterly Statement for 4th Quarter, Monaco TIAA 2014 Quarterly Statement for 4th Quarter, Monaco TIAA 2015 Quarterly Statement for 4th Quarter, Monaco TIAA 2016 Quarterly Statement for 4th Quarter, Monaco TIAA 2017 Quarterly Statement for 2nd Quarter *	Documents contain confidential financial and personal information that should be redacted. See Doc. 58. Cummulative as duplicative of DX261-292.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. Compilation of pages from other documents was previously created in a filing for this Court, and is provided for clarity. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX009	January 4, 2018 NYU website profile for Plaintiff Straussner	Not relevant. FRE 401, 402, and 403. Authenticity FRE 901.	Relevant: identifies plaintiff. Not hearsay: statement by NYU that will be supported and authenticated by declarant. FRE 801(d), 803	
DX010	Sampling of Straussner TIAA Quarterly Statements 2009-2017: Straussner TIAA 2009 Quarterly Statement for 4th Quarter, Straussner TIAA 2010 Quarterly Statement for 4th Quarter, Straussner TIAA 2011 Quarterly Statement for 4th Quarter, Straussner TIAA 2012 Quarterly Statement for 4th Quarter, Straussner TIAA 2013 Quarterly Statement for 4th Quarter, Straussner TIAA 2014 Quarterly Statement for 4th Quarter, Straussner TIAA 2015 Quarterly Statement for 4th Quarter, Straussner TIAA 2016 Quarterly Statement for 4th Quarter, Straussner TIAA 2017 Quarterly Statement for 2nd Quarter *	Documents contain confidential financial and personal information that should be redacted. See Doc. 58. Cummulative as duplicative of DX344-377.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. Compilation of pages from other documents was previously created in a filing for this Court, and is provided for clarity. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intent to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX011 Does Not Exist				
DX012	Sampling of Sacerdote TIAA Quarterly Statements 2012-2017: Sacerdote 2012 TIAA Quarterly Statement, 4th Quarter, Sacerdote 2013 TIAA Quarterly Statement, 4th Quarter, Sacerdote 2014 TIAA Quarterly Statement, 4th Quarter, Sacerdote 2015 TIAA Quarterly Statement, 4th Quarter, Sacerdote 2016 TIAA Quarterly Statement, 4th Quarter, and Sacerdote 2017 TIAA Quarterly Statement, 2nd Quarter *	Documents contain confidential financial and personal information that should be redacted. See Doc. 58. Cummulative as duplicative of DX293-312.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. Compilation of pages from other documents was previously created in a filing for this Court, and is provided for clarity. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX013	January 10, 2018 NYU website profile for Plaintiff Samuels	Not relevant. FRE 401, 402, and 403. Authenticity FRE 901.	Relevant: identifies plaintiff. Not hearsay: statement by NYU that will be supported and authenticated by declarant. FRE 801(d), 803	
DX014	Sampling of Samuels TIAA Quarterly Statements 2009-2017: Samuels 2009 Quarterly Statement, 4th Quarter, Samuels 2010 Quarterly Statement, 4th Quarter, Samuels 2011 Quarterly Statement, 4th Quarter, Samuels 2012 Quarterly Statement, 4th Quarter, Samuels 2013 Quarterly Statement, 4th Quarter, Samuels 2014 Quarterly Statement, 4th Quarter, Samuels 2015 Quarterly Statement, 4th Quarter, Samuels 2016 Quarterly Statement, 4th Quarter, Samuels 2017 Quarterly Statement, 2nd Quarter *	Document contains confidential financial and personal information that should be redacted. See Doc. 58. Cummulative as duplicative of DX313-343.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. Compilation of pages from other documents was previously created in a filing for this Court, and is provided for clarity. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intent to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	

DX015	Retirement Plan Committee Charter *	Cummulative as duplicative of PX0533.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX016	May 2008 Cammack Larrette Consulting Defined Contribution Retirement Plan Investment Consulting Services Proposal*	Cummulative as duplicative of PX0002.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX017	Declaration of Jan Rezler in Support of Defendant's Motion for Summary Judgment, dated January 10, 2018*	This document contains hearsay. FRE 801-802.	Not hearsay: statement by witness that will be supported and authenticated by declarant. FRE 801(d), 803	
DX018	April 8, 2009 Cammack Larrette Advisors, LLC Investment Advisory Services Agreement *	Cummulative as duplicative of PX0114.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX019	May 10, 2012 e-mail re: NYU/NYU Langone Retirement Committee Meeting – May 17, 2012 with attachments *	Cummulative as duplicative of PX0355	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX020	New York University, New York University School of Medicine, NYU Hospitals Center, Polytechnic Institute of NYU Defined Contribution Retirement Programs Request for Proposal, July 31, 2009 *	Cummulative as duplicative of PX0119.	guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX021	September 25, 2009 e-mail attaching the September 2009 TIAA Response to Request for Proposal Submission [includes printouts of an excel document attached to the e-mail, which was produced by TIAA in native format]*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX022	TIAA, Awards & Recognition	This document contains hearsay. FRE 801-802. Authenticity FRE 901. This document is also irrelevant. FRE 401-403.	Relevant: information regarding perception of recordkeeper. Not hearsay: offered for effect on reader and to be supported and authenticated by witness. FRE 801(d), 803	
DX023	May-July 2016 E-mail chain re: NYU Washington Square Shareclass Analysis [includes printouts of an excel document attached to the e-mail, which was produced by Vanguard in native format]	This document contains hearsay. FRE 801-802.	Not hearsay : offered for effect on witness Rezler not for truth of matter asserted, unless supported by declarant. Relevant: information regarding Plan recordkeeper. Not hearsay: to be supported and authenticated by witness.	
DX024	April 4, 2016 Amended Restated Charter of TIAA	This document contains hearsay. FRE 801-802. Authenticity FRE 901. This document is also irrelevant. FRE 401-403.	FRE 801(d), 803	
DX025	Charter of College Retirement Equities Fund, as amended August 23, 2002	This document contains hearsay. FRE 801-802. Authenticity FRE 901. This document is also irrelevant. FRE 401-403.	Relevant: information Regarding Plan fund. Not hearsay: to be supported and authenticated by witness. FRE 801(d), 803	
DX026	2011 Form 5500 for the Medical Plan**			
DX027	2010 Form 5500 for the Medical Plan**			
DX028	2012 Form 5500 for the Medical Plan**			
DX029	February 4, 2013 e-mail re: Explanation of the Return of Excess Plan Expenses with attachments*	Cummulative as duplicative of PX0363	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX030 Does Not Exist				
DX031	January 5, 2018 article titled "Why ownership matters"	This document contains hearsay. FRE 801-802. Authenticity FRE 901. This document is also irrelevant. FRE 401-403.	Relevant: discusses plan Recordkeeper (Vanguard). Not hearsay: statement by Vanguard that will be supported and authenticated by declarant. FRE 801(d), 803	
DX032	2013 Form 5500 for the Medical Plan **			
DX033	2014 Form 5500 for the Medical Plan**			
DX034	Vanguard All-in fee disclosure for NYU (as of June 30, 2011) [entered by Plaintiffs in the deposition of Heming]*	Cummulative as duplicative of PX0902.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX035	2015 Form 5500 for the Medical Plan**			
DX036	June 17, 2011 e-mail re: June 9 Retirement Committee Materials, attaching the approved working draft of the Investment Policy Statement for the Committee [entered by Plaintiffs as an Exhibit in the deposition of Woodruff]*	Cummulative as duplicative of PX0321.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case.	
DX037	January 7, 2011 e-mail from Jan Rezler re: NYU Retirement Committee Meeting *	Cummulative as duplicative of PX1039	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX038	September 28, 2011 e-mail from Jan Rezler to Vanguard re: NYU/NYU Langone**			

DX039	Declaration of Glenn Friedman, Senior Director, Institutional Retirement Business Management, at TIAA, dated December 22, 2017	This document contains hearsay. FRE 801-802. Authenticity FRE 901. This document is also irrelevant. FRE 401-403. It is also improper for the reasons stated in Plaintiffs' motion in limine and supporting memoranda. Docs. 243-244.	Relevant: declaration regarding Plans at issue in case, made by corporate representative of entity with corporate representative testifying at trial. Not hearsay: statement will be supported and authenticated by declarant. FRE 801(d), 803	
DX040	June 30, 2011 CREF Semiannual Report**			
DX041	August 29, 2017 Supplement No. 1 to the May 1, 2017 TIAA Real Estate Account Prospectus**			
DX042	October 2016 NYU Request for Proposal for Defined Contribution Recordkeeping Services**			
DX043	TIAA Real Estate Account Quarterly Performance Analysis for the Quarter Ended September 30, 2015**			
DX044	February 15, 2012 e-mail re: Agenda and Materials for February 21, 2012 Retirement Committee Meeting, attaching a due diligence report and other materials**			
DX045	September 1, 2016 e-mail re: Retirement Committee Meeting Materials, attaching a due diligence report and other materials*	Cumulative as duplicative of PX1335	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX046	2010 Form 5500 for the Faculty Plan**			
DX047	2011 Form 5500 for the Faculty Plan**			
DX048	2012 Form 5500 for the Faculty Plan**			
DX049	2013 Form 5500 for the Faculty Plan**			
DX050	2014 Form 5500 for the Faculty Plan**			
DX051	2015 Form 5500 for the Faculty Plan**			
DX052	2012 Investment Options Comparative Chart for the Faculty Plan [filed as Exhibit 8 to ECF No. 46]**			
DX053	2012 Investment Options Comparative Chart for the Medical Plan [filed as Exhibit 9 to ECF No. 46]**			
<b>PLAINTIFFS' ANSWERS TO INTERROGATORIES</b>				
DX054-DX060 Do Not Exist				
DX061	Plaintiff Brown's Answers and Objections to Defendant's First Set of Interrogatories**			
DX062	Plaintiff Miller's Answers and Objections to Defendant's First Set of Interrogatories**			
DX063	Plaintiff Monaco's Answers and Objections to Defendant's First Set of Interrogatories**			
DX064	Plaintiff Sacerdote's Answers and Objections to Defendant's First Set of Interrogatories**			
DX065	Plaintiff Samuels' Answers and Objections to Defendant's First Set of Interrogatories**			
DX066	Plaintiff Strausser's Answers and Objections to Defendant's First Set of Interrogatories**			
DX067	Plaintiff Brown's Answers and Objections to Defendant's Second Set of Interrogatories**			
DX068	Plaintiff Miller's Answers and Objections to Defendant's Second Set of Interrogatories**			
DX069	Plaintiff Monaco's Answers and Objections to Defendant's Second Set of Interrogatories**			
DX070	Plaintiff Sacerdote's Answers and Objections to Defendant's Second Set of Interrogatories**			
DX071	Plaintiff Samuels' Answers and Objections to Defendant's Second Set of Interrogatories**			
DX072	Plaintiff Strausser's Answers and Objections to Defendant's Second Set of Interrogatories**			
<b>PLAINTIFFS' RESPONSES AND OBJECTIONS TO DOCUMENT REQUESTS</b>				
DX073 Does Not Exist				
DX074	Plaintiff Dr. Herbert Samuels' Responses and Objections to Defendant's First Request for Production of Documents**			
DX075	Plaintiff Marie Monaco's Responses and Objections to Defendant's First Request for Production of Documents**			
DX076	Plaintiff Mark Crispin Miller's Responses and Objections to Defendant's First Request for Production of Documents**			
DX077	Plaintiff Dr. Shulamith Lala Straussner's Responses and Objections to Defendant's First Request for Production of Documents**			
DX078	Plaintiff Sacerdote's Responses and Objections to Defendant's First Request for Production of Documents**			
DX079	Plaintiff Brown's Responses and Objections to Defendant's First Request for Production of Documents**			
<b>FACULTY PLAN 404a-5 DISCLOSURES AND RELATED DOCUMENTS</b>				
DX080	NYU Retirement Plan Summary of Plan Services and Costs*	Cumulative as duplicative of PX0658.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX081	NYU Retirement Plan Investment Options Comparative Chart, as of 12/31/2011*	Cumulative as duplicative of PX0657.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX082	NYU Retirement Plan Investment Options Comparative Chart, as of 3/31/2013*	Cumulative as duplicative of PX0656.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX083	NYU Retirement Plan Summary of Plan Services and Costs*	Cumulative as duplicative of PX0763.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX084	NYU Retirement Plan Summary of Plan Services and Costs*	Cumulative as duplicative of PX0655.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	





DX111	NYU Summary of Fees and Compensation for Your Plan*	Cummulative as duplicative of PX0721.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX112	NYU Investment Fee & Expense Disclosure*	Cummulative as duplicative of PX0718.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX113	NYU Service Provider Summary*	Cummulative as duplicative of PX0720.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX114	5500 Reportable - Schedule of Assets Held for Investment, Total Plan Assets Under Management**			
DX115	5500 Reportable - Statement of Changes to Net Assets**			
DX116	5500 Reportable Transactions**			
DX117	Certification Letter**			
DX118	Direct Fees Paid from Plan Assets**			
DX119	Footnotes to the Statement of Changes to Net Assets**			
DX120	Forfeiture Account Report**			
DX121	Filing Summary for Form 5500-SF**			
DX122	Fund Usage and Diversification**			
DX123	Investment Fee & Expense Disclosure*	Cummulative as duplicative of PX0964.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX124	Participant Count**			
DX125	Plan ID Report**			
DX126	Plan Service Fees and Credits by Participants**			
DX127	Plan Servicing Credit Report*	Cummulative as duplicative of PX0965	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX128	Revenue Credit Account Report - Faculty Plan*	Cummulative as duplicative of PX0966	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX129	Filing Summary for Schedule A**			
DX130	Filing Summary for Schedule C**			
DX131	Filing Summary for Schedule D**			
DX132	Filing Summary for Schedule H**			
DX133	Filing Summary for Schedule H, Line 4i**			
DX134	Schedule of Assets Held for Investment**			
DX135	Service Provider Summary*	Cummulative as duplicative of PX1666.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX136	Statement of Changes to Net Assets**			
DX137	Summary of Fees and Compensation for Your Plan*	Cummulative as duplicative of PX0967.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX138	Vanguard All-in Fee Disclosure - NYU*	Cummulative as duplicative of PX0457.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX139	Vanguard All-in Fee Disclosure - NYU*	Cummulative as duplicative of PX0927.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	







DX180	Direct Fees - NYU SOM*	Cummulative as duplicative of PX0683.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX181	Direct Fees - NYU SOM*	Cummulative as duplicative of PX0687.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX182	Direct Fees - NYU SOM*	Cummulative as duplicative of PX1676.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX183	NYU SOM Investment Fee & Expense Disclosure*	Cummulative as duplicative of PX0968.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX184	NYU SOM Service Provider Summary*	Cummulative as duplicative of PX1665.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX185	NYU SOM Summary of Fees and Compensation for Your Plan*	Cummulative as duplicative of PX0969.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>FUND USAGE AND DIVERSIFICATION - FACULTY PLAN AND MEDICAL PLAN</b>				
DX186	NYU Fund Usage and Diversification*	not enough digits for a bates number	Objection is baseless; reason for objection has been rectified: bates range revised to reflect proper range.	
DX187	NYU SOM Fund Usage and Diversification**			
DX188	NYU Fund Usage and Diversification**			
DX189	NYU SOM Fund Usage and Diversification**			
DX190	NYU Fund Usage and Diversification**			
DX191	NYU SOM Fund Usage and Diversification**			
<b>PLAINTIFFS' QUARTERLY STATEMENTS</b>				
DX192	Brown 2009 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX193	Brown 2010 Q1 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX194	Brown 2010 Q2 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX195	Brown 2010 Q3 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX196	Brown 2010 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX197	Brown 2011 Q1 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX198	Brown 2011 Q2 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX199	Brown 2011 Q3 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX200	Brown 2011 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX201	Brown 2012 Q1 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX202	Brown 2012 Q2 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX203	Brown 2012 Q3 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX204	Brown 2012 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX205	Brown 2013 Q1 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX206	Brown 2013 Q3 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX207	Brown 2013 Q3 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX208	Brown 2013 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX209	Brown 2014 Q1 Statement Vanguard*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	









DX374	Straussner 2016 Q3 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX375	Straussner 2016 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX376	Straussner 2017 Q1 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX377	Straussner 2017 Q2 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
<b>PLAN RELATED DOCUMENTS - FACULTY PLAN AND MEDICAL PLAN</b>				
DX378	NYU Faculty Plan Document*	Cumulative as duplicative of PX0527.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX379	New York University Retirement Plan for Members of the Faculty, Professional Research Staff and Administration, Amended and Restated Effective January 1, 2014 *	Cumulative as duplicative of PX0940.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX380	NYU Faculty Plan Document*	Cumulative as duplicative of PX1395	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX381	NYU SOM Plan Document*	Cumulative as duplicative of PX0001.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX382	NYU Faculty Summary Plan Description**			
DX383	NYU Faculty Summary Plan Description**			
DX384	NYU Faculty Summary Plan Description**			
DX385	Investment Policy Statement For The Defined Contribution Retirement Plans of NYU, NYU LMC, and NYU Polytechnic Institute - Approved working draft*	Cumulative as duplicative of PX0534	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX386	NYU SOM Plan Document*	Cumulative as duplicative of PX0942.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX387	NYU SOM Summary Plan Description**			
DX388	NYU SOM Summary Plan Description**			
DX389	NYU SOM Summary Plan Description**			
DX390	NYU SOM Summary Plan Description**			
DX391	Investment Policy Statement*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX392	New York University School of Medicine Retirement Plan for Members of the Faculty, Professional Research Staff and Administration (Amended and Restated Effective January 1, 2009)*	Cumulative as duplicative of PX0974 and DX393.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX393	NYU School of Medicine Retirement Plan for Faculty Effective January 1, 2009*	Cumulative as duplicative of PX0974 and DX392.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>2009 RFP MATERIALS AND RESPONSES</b>				

DX394	2009 RFP*	Cummulative as duplicative of PX0003	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX395	E-mail from Jeffrey Levy to Margaret Meagher attaching 2009 Fidelity Investments Response to RFP and TIAA-CREF Response to RFP*	Cummulative as duplicative of PX0144	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX396	2009 TIAA Response to RFP*	Cummulative as duplicative of PX0153 and PX0059.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX397	2009 Vanguard's Response to RFP*	Cummulative as duplicative of PX0065.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX398	Cammack Analysis of RFP Results, with cover e-mail*	Cummulative as duplicative of PX0133.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX399	403(b) and 457(b) Plans Request for Proposal Results**			
DX400	TIAA-CREF Response to Follow Up Questions for NYU, NYU Langone Medical Center and NYU Polytechnic Institute, dated January 15, 2010*	Cummulative as duplicative of PX0860.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX401	E-mail dated January 29, 2010 from Jan Rezler to Nancy Sanchez, Margaret Meagher and Linda Woodruff attaching list of follow-up questions*	Cummulative as duplicative of PX0147.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX402	TIAA-CREF Response to Additional Questions for NYU, NYU Langone Medical Center and NYU Polytechnic Institute, dated February 11, 2010*	Cummulative as duplicative of PX0773.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>2016 RFP MATERIALS AND RESPONSES</b>				
DX403	E-mail from Mark Petti attaching Defined Contribution RFP Implementation template*	This document contains hearsay. FRE 801-802. This document is duplicative of an exhibit proposed by Plaintiffs.	Not hearsay statement by NYU representative witness that will be supported and authenticated by declarant. FRE 801(d), 803. Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX404	2016 RFP Cammack Analysis*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX405	2016 TIAA Response to RFP*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	

DX406	2016 VALIC Response to RFP*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX407	2016 Vanguard RFP Response*	Cummulative as duplicative of PX0899	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX408	NYU Defined Contribution Program: Request for Proposal - Executive Analysis*	Cummulative as duplicative of PX1456	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX409	Cammack Defined Contribution Program: Request for Proposal - Executive Analysis*	Cummulative as duplicative of PX0009	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX410	E-mail from Jan Rezler attaching Appendix to Executive Analysis of RFP, 2-2017*	Cummulative as duplicative of PX1467  <b>CAMMACK RELATED DOCUMENTS</b>	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX411	CLC Response to IC Services Proposal*	Cummulative as duplicative of PX0012.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX412	Cammack DC Plan Consulting Services Presentation*	Cummulative as duplicative of PX0004	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX413	Cammack Defined Contribution Plan Observations*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX414	Cammack Retirement Plan Consulting Services Proposal*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX415	E-mail from Jeffrey Levy to Mark Petti and Jan Rezler attaching 2011 Higher Education Retirement Plan Survey Report*	FRE 106 - incomplete; missing email / attachment; this document contains hearsay. FRE 801-802. This document is duplicative of an exhibit proposed by Plaintiffs.	Objection is baseless; reason for objection has been rectified: complete e-mail added in revised Bates range. Not hearsay: statement by Cammack representative witness that will be supported and authenticated by declarant. FRE 801(d), 803. Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX416 Does Not Exist				
DX417	E-mail dated May 18, 2012 from Mark Petti to Jan Rezler re: Proposed date for next Retirement Committee Meeting*	Document contains hearsay (FRE 801-802).	Not hearsay: statement by NYU representative witness that will be supported and authenticated by declarant. FRE 801(d), 803.	
DX418	E-mail from Jan Rezler attaching October 2013 Higher Education Retirement Plan Survey Report**			
DX419	E-mail dated November 7, 2013 from Jan Rezler to Chris Garrison re: Proposal for NYU for review by Cammack*	This document contains hearsay. FRE 801-802.	Not hearsay: statement by Cammack representative witness that will be supported and authenticated by declarant. FRE 801(d), 803.	
DX420	E-mail from Jan Rezler to Susanna Hollnsteiner and Mark Petti attaching 2013 Transamerica Higher Education Retirement Plan Survey Report and 2012 Cammack Higher Education Retirement Plan Survey Report*	FRE 106 - incomplete; missing email / attachment; this document contains hearsay. FRE 801-802.	Objection is baseless; reason for objection has been rectified: complete e-mail added in revised Bates range. Not hearsay: statement by Cammack representative witness that will be supported and authenticated by declarant. FRE 801(d), 803.	

DX421	Higher Education Retirement Plan Survey Report*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX422	CLC Finalist Presentation*	Cummulative as duplicative of PX0013	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX423	E-mail from Emily Wrightson to Trish Halley attaching exhibit D to Cammack Investment Advisory Services Agreement (Special Projects)*	FRE 106 - incomplete; missing email / attachment;	Complete e-mail added in revised Bates range. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX424	E-mail from Jan Rezler attaching 403(b) Plan Merger Considerations powerpoint**	Cummulative as duplicative of PX1321		
DX425	E-mail from Jan Rezler attaching excel file regarding Select Ivy Plus Institutions - Active Recordkeepers*	Cummulative as duplicative of PX1284	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX426	NYU Retirement Plan - Optimization Issues (Draft)*	Incomplete per FRE 106. This document is a draft and there is no foundation that establishes it was ever presented to the Committee/NYU.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete.	
DX427	E-mail from Jan Rezler to Mark Petti Exhibit D to Cammack Investment Advisory Services Agreement (Special Projects)*	Incomplete per FRE 106.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX428	NYU Retirement Plan - Optimization Issues (CRG Draft)*	Incomplete per FRE 106. This document is a draft and there is no foundation that establishes it was ever presented to the Committee/NYU.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete.	
DX429	E-mail dated January 12, 2017 from Jan Rezler to Trish Halley, Mark Petti and Samantha Fudge re: Finalist Meeting Attendee List	This document contains hearsay. FRE 801-802.	Not hearsay; statement by Cammack representative witness that will be supported and authenticated by declarant. FRE 801(d), 803.	
<b>E-MAILS WITH DUE DILIGENCE REPORTS AND/OR RETIREMENT COMMITTEE MEETING MATERIALS</b>				
DX430	E-mail to Committee with 5-15-2009 Cammack Due Diligence Report*	Cummulative as duplicative of PX0095	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX431	March 17, 2010 e-mail re: Retirement Committee Meeting, Thursday March 18, 2010 including attachments*	Cummulative as duplicative of PX0173	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX432	E-mail from Jan Rezler to Nancy Sanchez, Margaret Meagher, Linda Woodruff, and Susanna Hollnsteiner re: Follow-up from 3/18 Retirement Committee meeting; attaching Clarification Points, Advantages of Consolidating 403(b) Program, and Due Diligence Process: Next Steps Single Provider, Multiple Choices*	Cummulative as duplicative of PX0179	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX433	April 15, 2010 e-mail re: Agenda for Retirement Committee Meeting Monday April 19th including attachments*	This document is duplicative of an exhibit proposed by Plaintiffs.	Plaintiffs have not identified any specific PX document that is an alleged duplicate of this exhibit. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX434	E-mail dated June 9, 2010 from Emily Wrightson to Jeffrey Levy and Paula Kennedy attaching NYU 1st Quarter 2010 draft Due Diligence Report**	bates numbers don't identify a document; Cummulative as duplicative of PX1040	Complete e-mail added in revised Bates range. Plaintiffs' exhibit is incomplete and is not an exact duplicate.	
DX435	E-mail dated January 10, 2011 from Linda Woodruff to Jan Rezler, et al. attaching materials for Retirement Committee Meeting*	Document contains hearsay (FRE 801-802). Cummulative as duplicative of PX1066	Not hearsay; statement by Cammack representative witness that will be supported and authenticated by declarant. FRE 801(d), 803. Plaintiffs' exhibit is incomplete and is not an exact duplicate.	
DX436	E-mail to Committee with 3-28-2011 TIAA Plan Changes Discussion, 3-21-2011 Meeting Minutes, 4-1-2011 Supplemental Report*			

DX437	June 2, 2011 e-mail to Committee with Cammack Due Diligence Report*	Cummulative as duplicative of PX1087	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX438	E-mail to Committee with 6-30-2011 Cammack Due Diligence Report; 6-2011 Retirement Meeting Minutes; August Meeting Agenda Timeline; NYU Draft Communication; NYU Due Diligence Report Q2 2011, June 2011 NYU Fiduciary Responsibility; NYU Mapping Sample Timeline*	Cummulative as duplicative of PX1102	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX439	E-mail to Committee with November 2011 Committee Meeting Materials*	Cummulative as duplicative of PX1135	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX440	2-14-2012 e-mail from Susanna Hollnsteiner attaching Retirement Committee materials and 11-18-2011 Plan Committee Charter*	Cummulative as duplicative of PX1403	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX441	E-mail to Committee with 9-4-2012 Meeting Materials**			
DX442	E-mail to Committee with 9-30-2012 Cammack Due Diligence Report; September 2012 Retirement Committee Minutes; Vanguard Report*	Cummulative as duplicative of PX1187	numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged	
DX443	E-mail to Committee with 11-2012 Committee Minutes; 12-31-2012 Cammack Due Diligence Report; 12-31-2012 Supplemental Investment Information; Current and Sample Fund Choice Grids*	Cummulative as duplicative of PX1189	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX444	E-mail to Committee with 2-2013 Retirement Minutes; 6-14-2013 Meeting Agenda; 9-28-2012 Committee Charter; 457b info; 3-31-2013 Cammack Due Diligence Report; 3-31-2013 Supplemental Investment Information; Vendor Consolidation Information; Sample Implementation Timeline; Share Class and Fee Options*	Cummulative as duplicative of PX1208	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative	
DX445	E-mail to Committee with 6-2013 Minutes; 11-2013 Meeting Agenda; 9-28-2012 Charter; Proposed changes to NYU Retirement Plan; 5-2011 Draft Investment Policy Statement; Q3 2013 Cammack Due Diligence Report; Q3 2013 Supplemental Investment Information*	Cummulative as duplicative of PX1221	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX446	E-mail to Committee with 2-2014 Minutes; 5-22 Agenda; 5-2014 Investment Policy Statement; Q1 2014 Cammack Due Diligence Report; Q1 Supplemental DDRS; Q1 Lipper Report; 6-14-2010 Minutes; 6-14-2010 Supplemental Information; Q1 2014 Target Date Materials*	Cummulative as duplicative of PX1239	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX447	E-mail to Committee with 8-19-2014 Meting Agenda; 6-2014 Meeting Minutes; Q2 2014 Cammack Due Diligence Report; Q2 2014 Supplemental Report**			
DX448	E-mail to committee with 12-11-2014 Meeting Agenda; 8-2014 Minutes; 10-2014 Minutes; Summary of Trustee Changes; Q3 2014 Cammack Due Diligence Report; Q3 2014 Supplemental Report*	Cummulative as duplicative of PX1273	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX449	E-mail to Committee with 2-26-2015 Agenda; 12-2014 Meeting Minutes; Q4 2014 Cammack Due Diligence Report; Q4 2014 Supplemental Report; CREF Annuity Changes; CREF Annuity Impact**			
DX450	2-26-2015 e-mail from Yocasta Cicalese attaching CREF Annuity Impact slide*		t-mail contains hearsay (FRE 801-802); the sender of the e-mail has not been deposed and is not appearing live at trial, and the email does not fall under the FRE 803 or 804 hearsay exceptions. Cummulative as duplicative of PX1438	Not hearsay: statement by Cammack representative that will be supported and authenticated by Cammack representative. Also offered not for truth, but for awareness of recipient witnesses. FRE 801(d), 803. Plaintiffs' exhibit is incomplete and is not an exact duplicate.
DX451	E-mail to Committee with June 9, 2015 Meeting Agenda; Q4 2014 Meeting Notes; Q1 2015 Cammack Due Diligence Report; Q1 2015 Supplemental Report; DOL Fiduciary Brochure; Q1 2015 Fiduciary Responsibility*	Cummulative as duplicative of PX1291	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	

DX452	E-mail to Committee with 9-15-2015 Meeting Agenda; Q1 2015 Minutes; Q2 2015 Cammack Due Diligence Report; Q2 2015 Supplemental Report*	Cummulative as duplicative of PX1300	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX453	E-mail to Committee with 12-16-2015 Meeting Agenda; Q2 2015 Meeting Minutes; Q3 2015 Cammack Due Diligence Report; Vanguard Lower Cost Share Classes; Vanguard New Pricing Proposal; Q3 2015 Streamlined Fund Array; 2015 TIAA Revenue Credit Reallocation Methods; Q3 2015 Supplemental Report*	Cummulative as duplicative of PX1311	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX454	5-19-2017 e-mail to Committee with NYU Q1 2017 Due Diligence Report; NYU Q1 2017 Supplemental Report; 5-24-2017 Meeting Agenda; 5-22-2014 Investment Policy Statement; NYU Contract Comparison; Q4 2016 Committee Meeting Minutes*	Cummulative as duplicative of PX1359	numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX455	5-24-2017 e-mail from Michael Samlall attaching NYU Langone Fund Expense Investment Related Revenue*	Cummulative as duplicative of PX1369	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>DUE DILIGENCE REPORTS AND MATERIALS (SOME WITHIN RETIREMENT COMMITTEE MEETING MATERIALS)</b>				
DX456	Cammack Due Diligence Report*	Cummulative as duplicative of PX1093.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX457	Cammack Due Diligence Report*	Cummulative as duplicative of PX0034.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX458	Addendum-Watch List Funds*	Cummulative as duplicative of PX0606.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX459	Supplemental Information*	Cummulative as duplicative of PX1260, DX463, and DX466.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX460	Cammack Due Diligence Report*	Cummulative as duplicative of PX.	Plaintiffs' exhibit is not specified, as "PX" does not identify a document. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX461	Supplemental Fiduciary Committee Information*	Cummulative as duplicative of PX1260.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX462	Vendor Consolidation*	Cummulative as duplicative of PX0609.	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX463	Vendor Consolidation*	Cummulative as duplicative of DX466 and PX0598	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	











DX529	July 9, 2012 Amendment No. 3 to TIAA-CREF Recordkeeping Services Agreement for the Faculty Plan*	Cummulative as duplicative of PX0157.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX530	September 18, 2015 Amendment No. 4 to TIAA-CREF Recordkeeping Services Agreement for the Faculty Plan.*	Cummulative as duplicative of PX0157.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX531	Addendum to Schedule B of the Faculty TIAA Record Keeping Agreement*	Cummulative as duplicative of PX0157.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX532	October 1, 2012 TIAA-CREF Recordkeeping Services Agreement for the Medical Plan*	Cummulative as duplicative of PX0937.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX533	August 22, 2016 Amendment No. 1 to TIAA-CREF Recordkeeping Services Agreement for the Medical Plan*	Cummulative as duplicative of PX0937.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX534	2013 SOM TIAA Recordkeeping Agreement Schedule B*	Incomplete per FRE 106. Cummulative as duplicative of PX0937.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX535	2014 SOM TIAA Recordkeeping Agreement Schedule B*	Incomplete per FRE 106. Cummulative as duplicative of PX0937.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX536	Addendum to Schedule B of the SOM TIAA Record Keeping Agreement*	Cummulative as duplicative of PX0937.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX537	Amendment No. 1 to the SOM Amended and Restated Record Keeping Services Agreement*	Cummulative as duplicative of PX0939.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX538	2017 SOM TIAA Amended and Restated Recordkeeping Services Agreement*	Cummulative as duplicative of PX0939.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX539	E-mail from Grant Smalle at TIAA attaching draft 4-1-2018 TIAA-NYU Amended and Restated Recordkeeping Services Agreement*	FRE 106 - incomplete; missing email / attachment Cummulative as duplicative of PX1667.	Bates range revised to include complete e-mail and additional attachment. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>TIAA CUSTODIAL AGREEMENTS AND AMENDMENTS</b>				
DX540	TIAA SOM Amended and Restated Custodial Agreement 1-1-2017*	Cummulative as duplicative of PX1506.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	

DX541	SOM Custodial Account Agreement - Revised Appendix A*		To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX542	TIAA Custodial & Custodial Appendix A 12-1-2016*	Cummulative as duplicative of PX1671.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX543	TIAA-CREF Addendum to Custodial Appendix A 9-26-2011*	Incomplete per FRE 106. Cummulative as duplicative of PX1672.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX544	TIAA-CREF Custodial Appendix A 4-20-2010*	Incomplete per FRE 106. Cummulative as duplicative of PX1673.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX545	Custodial Account Agreement for a 403(b) Plan - SOM*	Cummulative as duplicative of PX0019.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX546	TIAA Custodial Account Agreement for a 403(b) Plan - SOM*	Cummulative as duplicative of PX0829.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX547	TIAA-CREF Custodial Addendum to Appendix A 10-17-2014 - SOM*	Incomplete per FRE 106. Cummulative as duplicative of PX1670.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX548	Amendment No. 1 - Custodial Account Agreement between 403(b) and JP Morgan Chase Bank - Faculty*	Cummulative as duplicative of PX0019.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX549	TIAA-CREF Custodial Revised Appendix A 11-8-2013 - SOM*	Incomplete per FRE 106. Cummulative as duplicative of PX1668.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX550	TIAA-CREF Custodial Revised Appendix A 4-4-2014 - SOM*	Incomplete per FRE 106. Cummulative as duplicative of PX1669.	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>RETIREMENT COMMITTEE MEETING MINUTES (AND AGENDA FOR FEBRUARY AND MAY 2017 MEETINGS)</b>				
DX551	2007_09_13 NYU Retirement Committee Minutes*	Cummulative as duplicative of PX0462	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX552	2008_01_31 NYU Retirement Committee Minutes*	Cummulative as duplicative of PX0478	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	







DX597	E-mail from Patricia Halley attaching Retirement Plan Consolidation Proposal for Faculty Benefits Committee meeting*	Cummulative as duplicative of PX1451	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>MISCELLANEOUS E-MAILS</b>				
DX598	9-17-2010 e-mail from Jan Rezler attaching DOL Brochure Regarding Fiduciary Responsibilities*	Cummulative as duplicative of PX1009	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX599	5-22-2017 e-mail from Jay Cobak attaching NYU Langone Fund Expense Investment Related Revenue*	Cummulative as duplicative of PX1367	Plaintiffs' exhibit is incomplete and is not an exact duplicate. Furthermore, to date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX600	E-mail dated June 3, 2016 from Marie Monaco to Core NYUFASP Core re: NYU Retirement Plan Investigation*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX601	E-mail re: Class Action lawsuit*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX602	E-mail dated from Mark Crispin Miller to Marie Monaco re: Class action lawsuit update*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX603	E-mail from Mark Crispin Miller to Marie Monaco re: ERISA class action lawsuit*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX604	E-mail from Herbert Samuels to Marie Monaco re: ERISA lawsuit*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX605	E-mail from Gary Holden to Marie Monaco and Mark Crispin Miller re: FYI*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX606	E-mail from Marie Monaco to Herb Samuels re: From the NYU*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX607	E-mail dated from Lenny Bernstein to NYUFASP-Core re: M.I.T., N.Y.U. and Yale Are Sued Over Retirement Plan Fees - NYTimes.com*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX608	E-mail from Gail Monaco to Marie Monaco re: Note*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX609	E-mail dated from Eric Marcus to Marie Monaco re: Retirement Plan Fee Disclosures*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX610	E-mail dated June 13, 2016 from Lenny Bernstein to Marie Monaco re: class action law suit*	Not relevant. FRE 401, 402, and 403. This document contains hearsay. FRE 801-802.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
DX611	E-mail from NYULMC Benefits to HR Benefits re: Look for NYULMC's 403(b) S On Your February Pay Advice!**			
DX612	E-mail from TIAA-CREF to Herbert Samuels re: Important Plan Disclosure Information**			
DX613	E-mail from Vanguard to Shulamith Straussner re: How do you compare with other investors your age?**			
DX614	E-mail from Vanguard to Shulamith Straussner re: Keep more of what you earn**			
DX615	E-mail from The Benefits Office re: NYU Retirement Plan: Understanding Plan Fees**			
DX616	E-mail from The Benefits Office re: TIAA-CREF and Vanguard Fall Sessions for your Financial Future**			
DX617	E-mail from The Benefits Office re: NYU Retirement Plan: Annual Summary of Services & Fees**			
DX618	E-mail from NYU Benefits Office re: NYU Retirement Plan: Annual Summary of Services & Fees**			
DX619	E-mail from NYU Benefits Office re: NYU Retirement Plan: Annual Summary of Services & Fees**			
DX620	E-mail from TIAA Withdrawals to Shulamith Straussner re: Your Request*	Not relevant. FRE 401, 402, and 403.	Relevant: demonstrates Plaintiffs' awareness of fiduciary role of NYU. Not hearsay: statement by plaintiff that will be supported and authenticated by declarant. FRE 801(d), 803	
<b>MISCELLANEOUS DOCUMENTS</b>				
DX621	Supplemental Investment Information*	Cummulative as duplicative of PX0963	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX622	Morningstar Category Definitions	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document.	Morningstar documents represent market documents excepted from the rule against hearsay. FRE 803(17).	
DX623	Morningstar CREF Stock Category	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document.	Morningstar documents represent market documents excepted from the rule against hearsay. FRE 803(17).	
DX624	TIAA and CREF contract comparison*	Cummulative as duplicative of PX0869	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	

DX625	2-28-2018 Article "Nuveen Investment Teams Make Lipper History"	Authenticity FRE 901. This document contains hearsay. FRE 801-802. This document is not relevant as it does not pertain to the Plans at issue. FRE 401-403	Relevant: discusses plan Recordkeeper (TIAA) Not hearsay: offered for perception of TIAA by industry and others. FRE 801(d), 803	
DX626	NYT's article: Fourth No Confidence Vote for the President of N.Y.U. dated May 10, 2013	Authenticity FRE 901. This document contains hearsay. FRE 801-802. This document is not relevant as it does not pertain to the Plans at issue. FRE 401-403.	Self-authenticating periodical article under FRE 902(6). Relevant: relates to Plaintiffs' allegations regarding alleged delay in consolidating vendors. Not hearsay: offered for awareness of declarant witnesses and will be supported by testimony.	
DX627	Vanguard Share Class Change and Fee Arrangement *	This document contains hearsay. FRE 801-802. Cumulative as duplicative of PX0464	Not hearsay: statements related to Vanguard that will be supported and authenticated by declarant. FRE 801(d), 803. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs filing, it will be filed under seal.	
DX628	TIAA Statement 2016 3Q for Shulamith Lala Straussner*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX629	E-mail from Linda Woodruff to Susanna Hollnsteiner re: Agenda plus for Fri Retirement Committee Meeting*	Cumulative as duplicative of PX0514	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX630	Supplemental Investment Information**			
DX631	Vanguard Statement 2016 2Q for Shulamith Straussner*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX632	TIAA CREF Statement 2009 3Q for Marie Monaco*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX633	TIAA CREF Statement 2014 1Q for Marie Monaco*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX634	Minutes of the T-Faculty Senators Council Meeting*	This document contains hearsay. FRE 801-802.	Senators Council Meeting Minute Notes represent business records, exempted from the rule against hearsay. FRE 803(6).	
DX635	Class Action Complaint**			
DX636	Hand-written notes prepared by Peter Hueber in preparation for, and presented as an exhibit during, his deposition, regarding Pricing Timeline - NYU/NYU Langone	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document	Hand-written notes prepared by Peter Hueber in preparation for his deposition, and offered as an exhibit at his deposition, have already been, and will be reinforced as, authentic, relevant, and non-hearsay. FRE 803(5)	
DX637	NYU Faculty Plan Quarterly Assets and Participant Count**			
DX638	NYU SOM Plan Quarterly Assets and Participant Count**			
DX639 Does Not Exist				
<b>TIAA REA 8-K, FAQS</b>				
DX640	TIAA REA 8-K, includes FAQs**			
DX641	TIAA REA 8-K, includes FAQs**			
DX642	TIAA REA 8-K, includes FAQs**			
DX643	TIAA REA 8-K, includes FAQs**			
DX644	TIAA REA 8-K, includes FAQs*	Cumulative as duplicative of PX0866	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX645	TIAA REA 8-K, includes FAQs**			
DX646	TIAA REA 8-K, includes FAQs**			
DX647	TIAA REA 8-K, includes FAQs**			
DX648	TIAA REA 8-K, includes FAQs**			
DX649	TIAA REA 8-K, includes FAQs*	Cumulative as duplicative of PX0867	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX650	TIAA REA 8-K, includes FAQs**			
DX651	TIAA REA 8-K, includes FAQs**			
DX652	TIAA REA 8-K, includes FAQs**			
DX653	TIAA REA 8-K, includes FAQs**			
DX654	TIAA REA 8-K, includes FAQs**			
<b>TIAA REA 10-K</b>				
DX655	TIAA REA 10-K for fiscal year ended December 31, 2009**			
DX656	TIAA REA 10-K for fiscal year ended December 31, 2010**			
DX657	TIAA REA 10-K for fiscal year ended December 31, 2011**			
DX658	TIAA REA 10-K for fiscal year ended December 31, 2012**			
DX659	TIAA REA 10-K for fiscal year ended December 31, 2013**			
DX660	TIAA REA 10-K for fiscal year ended December 31, 2014**			
DX661	TIAA REA 10-K for fiscal year ended December 31, 2015**			
DX662	TIAA REA 10-K for fiscal year ended December 31, 2016**			
<b>TIAA REA FACT SHEET</b>				
DX663	TIAA REA Fact Sheet **			
DX664	TIAA REA Fact Sheet **			

DX665	TIAA REA Fact Sheet **				
DX666	TIAA REA Fact Sheet **				
DX667	TIAA REA Fact Sheet **				
DX668	TIAA REA Fact Sheet **				
DX669	TIAA REA Fact Sheet **				
DX670	TIAA REA Fact Sheet **				
DX671	TIAA REA Fact Sheet **				
DX672	TIAA REA Fact Sheet **				
DX673	TIAA REA Fact Sheet **				
DX674	TIAA REA Fact Sheet **				
DX675	TIAA REA Fact Sheet **				
DX676	TIAA REA Fact Sheet **				
DX677	TIAA REA Fact Sheet **				
DX678	TIAA REA Fact Sheet **				
DX679	TIAA REA Fact Sheet **				
DX680	TIAA REA Fact Sheet **				
<b>TIAA REA PROSPECTUSES</b>					
DX681	TIAA REA Prospectus with 8/21/2009 Supplement No. 1**				
DX682	TIAA REA Prospectus with 8/23/2010 Supplement No. 1 and 8/6/2010 Supplement No. 1*	Cummulative as duplicative of PX1651		To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX683	TIAA REA Prospectus with 8/24/2011 Supplement No. 1**				
DX684	TIAA REA Prospectus with 2/22/2013 Supplement No. 1**				
DX685	TIAA REA Prospectus with 2/24/2013 Supplement No. 1**				
DX686	TIAA REA Prospectus with 2/12/2015 Supplement No. 1**				
DX687	TIAA REA Prospectus with 2/24/2016 Supplement No. 2 and 6/12/2015 Supplement No. 1**				
DX688	TIAA REA Prospectus with 2/23/2017 Supplement No. 1**				
DX689	TIAA REA Prospectus**				
<b>TIAA REA 8-K QUARTERLY PERFORMANCE ANALYSIS</b>					
DX690	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2009	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX691	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2009**				
DX692	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2009	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX693	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2009	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX694	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2010	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX695	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2010	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX696	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2010	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX697	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2010*	Cummulative as duplicative of PX0839		To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX698	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2011	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX699	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2011	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document		Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	

DX700	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2011	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document	Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX701	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2011	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document	Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
DX702	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2012**		To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX703	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2012*	Cummulative as duplicative of PX0868		
DX704	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2012**			
DX705	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2012**			
DX706	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2013**			
DX707	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2013**			
DX708	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2013**			
DX709	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2013**			
DX710	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2014**			
DX711	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2014**			
DX712	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2014**			
DX713	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2014**			
DX714	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2015**			
DX715	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2015**			
DX716	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2015 **			
DX717	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2015**			
DX718	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2016**			
DX719	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2016**			
DX720	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2016**			
DX721	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2016**			
DX722	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 3/31/2017**			
DX723	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 6/30/2017**			
DX724	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 9/30/2017	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document	Description clarified to reflect type of public financial filing. Market reports excepted from hearsay under FRE 803(17).	
<b>CREF SEMIANNUAL AND ANNUAL REPORTS</b>				
DX725	2009 CREF Semiannual Report, June 30, 2009**			
DX726	2010 CREF Semiannual Report, June 30, 2010**			
DX727	2011 CREF Semiannual Report, June 30, 2011**			
DX728	2012 CREF Semiannual Report, June 30, 2012**			
DX729	2013 CREF Semiannual Report, June 30, 2013**			
DX730	2014 CREF Semiannual Report, June 30, 2014**			
DX731	2015 CREF Semiannual Report, June 30, 2015**			
DX732	2016 CREF Semiannual Report, June 30, 2016**			
DX733	2017 CREF Semiannual Report, June 30, 2017**			
DX734	2009 CREF Annual Report, December 31, 2009*	Cummulative as duplicative of PX1617	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX735	2010 CREF Annual Report, December 31, 2010**			
DX736	2011 CREF Annual Report, December 31, 2011**			
DX737	2012 CREF Annual Report, December 31, 2012**			
DX738	2013 CREF Annual Report, December 31, 2013**			
DX739	2014 CREF Annual Report, December 31, 2014**			
DX740	2015 CREF Annual Report, December 31, 2015**			
DX741	2016 CREF Annual Report, December 31, 2016**			
DX742	2017 CREF Annual Report, December 31, 2017	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document	Market reports excepted from hearsay under FRE 803(17). Document will be further identified by witness.	
DX743	2009 CREF Semiannual Report, June 30, 2009 Financial Statements**			
DX744	2010 CREF Semiannual Report, June 30, 2010 Financial Statements**			
DX745	2011 CREF Semiannual Report, June 30, 2011 Financial Statements**			
DX746	2012 CREF Semiannual Report, June 30, 2012 Financial Statements**			
DX747	2013 CREF Semiannual Report, June 30, 2013 Financial Statements**			
DX748	2014 CREF Semiannual Report, June 30, 2014 Financial Statements**			
DX749	2015 CREF Semiannual Report, June 30, 2015 Financial Statements**			
DX750	2016 CREF Semiannual Report, June 30, 2016 Financial Statements**			
DX751	2017 CREF Semiannual Report, June 30, 2017 Financial Statements**			
<b>CREF PROSPECTUSES</b>				

DX752	CREF Prospectus with 12/18/2009 Supplement No. 1**			
DX753	CREF Prospectus with 8/23/2010 Supplement No. 1**			
DX754	CREF Prospectus with 8/24/2011 Supplement No. 1**			
DX755	CREF Prospectus **			
DX756	CREF Prospectus with 11/11/2013 Supplement No. 1**			
DX757	CREF Prospectus with 12/1/2014 Supplement No. 1**			
DX758	CREF Prospectus with 4/14/2016 Supplement No. 3, 12/10/2015 Supplement No. 2, 11/23/2015 Supplement No. 1**			
DX759	CREF Prospectus**			
DX760	CREF Prospectus**			
<b>CREF STOCK ACCOUNT FACT SHEET</b>				
DX761	CREF Stock Account Fact Sheet**			
DX762 Does Not Exist				
DX763	CREF Stock Account Fact Sheet**			
<b>VANGUARD RECORDKEEPING AGREEMENTS</b>				
DX764	10-2-2008 Vanguard Recordkeeping Fee Agreement*	Cummulative as duplicative of PX0949	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX765	7-1-2011 Vanguard Recordkeeping Fee Schedule A*	Document is incomplete per FRE 106. Cummulative as duplicative of PX0950	Stand-alone document. Plaintiffs have provided no support for their assertion that the document is incomplete. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX766	Fee Proposal: Vanguard's All-In-Fee Disclosure for the NYU / NYUSOM / NYUHC Plans*	Cummulative as duplicative of PX0068	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>VANGUARD CUSTODIAL AGREEMENTS</b>				
DX767	Vanguard Group Custodial Account Agreement*	Cummulative as duplicative of PX1493	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX768	Vanguard SOM Group Custodial Account Agreement*	Cummulative as duplicative of PX1502	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
<b>PLAINTIFFS' TIAA RETIREMENT ANNUITY CONTRACTS</b>				
DX769	TIAA Group Retirement Annuity Certificate_2012.06.01 (Monaco, Marie)*	Document contains confidential financial and personal information that should be redacted. See Doc. 58. This document is duplicative of an exhibit proposed by Plaintiffs. Cummulative as duplicative of PX0728.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX770	TIAA Group Retirement Annuity Certificate (to participant SAMUELS)*	Document contains confidential financial and personal information that should be redacted. See Doc. 58. Cummulative as duplicative of PX0736.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX771	TIAA Group Retirement Annuity Certificate (to participant SACERDOTE)*	Document contains confidential financial and personal information that should be redacted. See Doc. 58. Cummulative as duplicative of PX0734.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	



DX782	TIAA Retirement Annuity Contract (to participant MONACO)*		Document contains confidential financial and personal information that should be redacted. See Doc. 58. Cumulative as duplicative of PX0731.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX783	TIAA Supplemental Retirement Annuity Contract (to participant BROWN)*		Document contains confidential financial and personal information that should be redacted. See Doc. 58. Cumulative as duplicative of PX0727.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX784-DX807 Do Not Exist					
DX808	Declaration of Gerald W. Buetow in <i>Sims v. BB&amp;T Corp.</i> , No. 1:15-cv-732-CCE-JEP, United States District Court Middle District of North Carolina*	This document is not relevant per FRE 401-402 as it does not pertain to the Plans. Additionally, it contains hearsay (FRE 801-802).	Relevant: addresses Plaintiffs' expert's experience in industry. Not hearsay: statement by testifying expert witness. Declarant-witness's prior sworn statements available for use on cross-examination under FRE 801(d)(1)(a), FRE 801(d), 803		
<b>EXPERT RELATED MATERIALS</b>					
DX809	Back up materials and excel versions of exhibits to Fischel Expert Report	Authenticity FRE 901. Defendant has not provided enough information for Plaintiffs to identify and locate this document, and, moreover, it was not produced to Plaintiffs along with Fischel's expert report. Therefore it constitutes an improper attempt to supplement Fischel's expert opinion. Improper expert testimony. FRE 702. Plaintiffs reserve their right to further object to this document.	Documents were provided to Plaintiffs on 12-29-2017, and Plaintiffs had not previously objected to their supplementation. Declarant witness expert will testify to their contents. Additional basis for authenticity set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts. (Doc. 246, 247).		
DX810	Expert Report of Daniel R. Fischel*	Contains improper expert testimony. FRE 701-702. Plaintiffs also object for the reasons set forth in Plaintiffs' memorandum in support of Plaintiffs' motion to exclude Daniel Fischel (Doc. 199) and Plaintiffs' Memorandum in Support of their Motion in Limine (Doc. 244).	Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		
DX811 Does Not Exist					
DX812	Expert Report of Marcia Wagner*	Contains improper expert testimony. FRE 701-702. Plaintiffs also object for the reasons set forth in Plaintiffs' memorandum in support of Plaintiffs' motion to exclude Marcia Wagner (Doc. 199) and Plaintiffs' Memorandum in Support of their Motion in Limine (Doc. 244).	Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		
DX813-DX820 Do Not Exist					
DX821	Declaration of Lassaad Adel Turki*	This document contains hearsay. FRE 801-802. Contains improper expert testimony. FRE 701-702. Plaintiffs also object for the reasons set forth in Plaintiffs' memorandum in support of Plaintiffs' motion to exclude Defendant's experts (Doc. 199) and Plaintiffs' Memorandum in Support of their Motion in Limine (Doc. 244).	Not hearsay: declarant-witness will testify to contents. Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		
DX822	Expert Report of Lassaad Adel Turki*	Contains improper expert testimony. FRE 701-702. This document contains hearsay. FRE 801-802. Contains improper expert testimony. FRE 701-702. Plaintiffs also object for the reasons set forth in Plaintiffs' memorandum in support of Plaintiffs' motion to exclude Defendant's experts (Doc. 199) and Plaintiffs' Memorandum in Support of their Motion in Limine (Doc. 244).	Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		
DX823	Errata to the Expert Report of Adel Turki	Authenticity FRE 901. Defendant has not provided enough information for Plaintiff to identify and locate this document. Authenticity FRE 901. Irrelevant. FRE 401-403. Plaintiffs reserve their right to further object to this document	Document was provided to Plaintiffs on 2-7-2018, and Plaintiffs had not previously objected to its authenticity. Declarant witness expert will testify to contents. Additional basis for authenticity set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts. (Doc. 246, 247).		
DX824	Marcia Wagner Rebuttal Report re. Gerald Buetow*	Contains improper expert testimony. FRE 701-702. Plaintiffs also object for the reasons set forth in Plaintiffs' memorandum in support of Plaintiffs' motion to exclude Defendant's experts (Doc. 199) and Plaintiffs' Memorandum in Support of their Motion in Limine (Doc. 244).	Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		
DX825	Marcia Wagner Rebuttal Report re. Michael Geist*	Contains improper expert testimony. FRE 701-702. Plaintiffs also object for the reasons set forth in Plaintiffs' memorandum in support of Plaintiffs' motion to exclude Defendant's experts (Doc. 199) and Plaintiffs' Memorandum in Support of their Motion in Limine (Doc. 244).	Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		
DX826	Daniel Fischel Rebuttal Report*	Contains improper expert testimony. FRE 701-702.	Response set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts (Doc. 246, 247).		

DX827-DX843 Do Not Exist				
DX844	Fischel's additional performance tests regarding the CREF Stock Account and the TIAA Real Estate Account produced to Plaintiffs on 3/5/2018	Authenticity FRE 901. Irrelevant. FRE 401-403. Improper expert opinion. FRE 702. Plaintiffs reserve their right to further object to this document.	Documents were provided to Plaintiffs on 3-5-2018, and Plaintiffs had not previously objected to their authenticity. Declarant witness expert will testify to contents. Additional basis for authenticity set forth in Defendant's Opposition to Plaintiffs' Motion to Exclude Experts. (Doc. 246, 247).	
<b>PROPOSED FINDINGS OF FACT DOCUMENTS</b>				
DX845	Advisory Council on Employee Welfare and Pension Benefit Plans, Report to the Honorable Hilda L. Solis, United States Secretary of Labor, <i>Current Challenges and Best Practices for ERISA Compliance for 403(b) Plan Sponsors</i>	Authenticity FRE 901. Irrelevant. FRE 401-403. Document contains hearsay. FRE 801-802. Plaintiffs reserve their right to further object to this document	Relevance: discusses numerous issues that were considered and addressed by NYU Retirement Committee, as well as discusses how 403(b) plans have numerous differences from 401(k) plans. Not hearsay: market report or similar commercial publication. FRE 803(17). Self-authenticating official publication. FRE 902(5).	
DX846-DX847 Do Not Exist				
DX848	Straussner TIAA Participant Account Statement as of December 31, 2016*	Cumulative; duplicative of DX11. Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Objection is baseless; reason for objection has been rectified: DX11 removed to address duplication. Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
<b>ADDITIONAL EXHIBITS (ADDED AFTER SENT TO PLAINTIFFS MARCH 22, 2018)</b>				
DX849	2012 Update on the Establishment of the Revenue Credit Accounts**			
DX850	E-mail from Jan Rezler attaching 6-14-2010 Retirement Committee Minutes, NYU Watch List Recommendations, and IPS Sample*	Cummulative as duplicative of PX1000	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX851	E-mail from Linda Woodruff to Retirement Committee attaching November 2010 Retirement Committee Minutes, January 2011 Meeting Agenda, January 2011 Vendor Consolidation Overview, and 3rd Quarter 2010 NYU Executive Summary*	Cummulative as duplicative of DX435	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX852	E-mail from Emily Wrightson to Margaret Meagher and Linda Woodruff attaching 4th Quarter 2010 Due Diligence Report, January 2011 TIAA Pricing Illustration, 2011 Vendor Change Draft FAQs, February 2011 Vendor Consolidation Overview for Core Leadership (Final)*	Cummulative as duplicative of PX0290	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX853	NYU SOM Service Provider Summary*	Relevance FRE 401, 402, 403. There is no evidence that NYU ever considered this document in evaluating its recordkeeping fees or investments. Cummulative as duplicative of PX0673.	This document was considered in the Expert Report of Adel Turki, and is relevant to the expert opinion that he will present at trial. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX854	NYU SOM Investment Fee & Expense Disclosure*	Relevance FRE 401, 402, 403. There is no evidence that NYU ever considered this document in evaluating its recordkeeping fees or investments. Cummulative as duplicative of PX0672.	This document was considered in the Expert Report of Adel Turki, and is relevant to the expert opinion that he will present at trial. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX855	NYU SOM Investment Fee & Expense Disclosure*	Relevance FRE 401, 402, 403. There is no evidence that NYU ever considered this document in evaluating its recordkeeping fees or investments. Cummulative as duplicative of PX0676.	This document was considered in the Expert Report of Adel Turki, and is relevant to the expert opinion that he will present at trial. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX856	NYU SOM Service Provider Summary*	Relevance FRE 401, 402, 403. There is no evidence that NYU ever considered this document in evaluating its recordkeeping fees or investments. Cummulative as duplicative of PX0677.	This document was considered in the Expert Report of Adel Turki, and is relevant to the expert opinion that he will present at trial. To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	



DX867	Revenue Credit Account Report - Faculty Plan*	Cummulative as duplicative of PX0719.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX868	Revenue Credit Account Report - SOM Plan*	Cummulative as duplicative of PX0723.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX869	Revenue Credit Account Report - SOM Plan*	Cummulative as duplicative of PX0724.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX870	Revenue Credit Account Report - SOM Plan*	Cummulative as duplicative of PX0725.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX871	Revenue Credit Account Report - SOM Plan*	Cummulative as duplicative of PX0726.	To date, Plaintiffs have re-numbered numerous exhibits, improperly excerpted others, and provided no guarantee that they will not further edit their exhibit list. Accordingly, Defendant does not know if Plaintiffs intend to actually offer any of the alleged duplicative exhibits as evidence in this case. Accordingly, and in light of the fact that the alleged duplicative Defendant's exhibit is a document to which the parties have stipulated is authentic and was made and kept in the course of a regularly conducted activity, Defendant will offer the exhibit as Defendant's exhibit.	
DX872	TIAA Quarterly Performance Analysis	Authenticity FRE 901. Hearsay FRE 801-802	Market reports excepted from hearsay under FRE 803(17). Authentic as official publication under FRE 902(5), and will be supported by trial testimony.	
DX873	Brown 2017 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX874	Monaco 2017 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX875	Sacerdote 2017 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX876	Sacerdote 2017 Q4 Statement - Transaction Details*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX877	Sacerdote 2017 Q4 Statement - Additional Transaction Details*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX878	Straussner 2017 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX879	Samuels 2017 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX880	Miller 2017 Q4 Statement*	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX881	E-mail from NYU HR Benefits to Monaco regarding vendor consolidation	Document contains confidential financial and personal information that should be redacted. See Doc. 58.	Document is not being publicly filed, and therefore no redactions are needed. If this document is attached to a filing, it will be filed under seal.	
DX882	TIAA REA 8-K, includes Quarterly Analysis for the Quarter Ending 12/31/2012 (same document as produced DX705, but properly formatted).	Authenticity FRE 901. Hearsay FRE 801-802	This is the same substantive document as DX705, to which Plaintiffs did not object based on authenticity or hearsay. However, whereas DX705 is not properly formatted, this document is properly formatted. Market reports excepted from hearsay under FRE 803(17). Authentic as official publication under FRE 902(5), and will be supported by trial testimony.	
<b>DEFENDANT'S TRIAL DECLARATIONS AND EXHIBITS THERETO (THOSE NOT ALREADY COVERED ELSEWHERE ON THIS LIST)</b>				
DX883	Meagher Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX884	Surh Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	

DX885	Sanchez Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX886	Petti Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX887	Halley Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX888	Dorph Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX889	Wagner Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX890	Turki Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX891	Fischel Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX892	Chittenden Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
DX893	Rezler Declaration	Authenticity FRE 901. Plaintiffs reserve all other objections because the declarations will not be exchanged until April 5.	Authenticity to be established by witness declarant who authored the declaration.	
<b>ADDITIONAL EXHIBITS (ADDED AFTER SENT TO PLAINTIFFS APRIL 2, 2018)</b>				
DX894	E-mail from Mark Petti attaching August 2015 Considerations for Retirement Plan Vendor Consolidation documents**			